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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,670	02/08/2002	Philip J. Kellman	PD-99W171	4015

22494 7590 12/29/2004

DALY, CROWLEY & MOFFORD, LLP
SUITE 101
275 TURNPIKE STREET
CANTON, MA 02021-2310

EXAMINER

CHUNG, DANIEL J

ART UNIT PAPER NUMBER

2672

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,670

Applicant(s)

KELLMAN ET AL.

Examiner

Daniel J Chung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7-11-2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Information Disclosure Statement

Receipt is acknowledged of Applicant's Information Disclosure Statement of 7-11-2003, which has been placed in the application file and considered by the Examiner.

Drawings

The drawings are not objected to by the Examiner.

Specification

Please review the application and correct all informalities.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hancock (5,179,377).

Regarding claim 1, Hancock discloses that the claimed feature of a system for conveying location of an object comprising: first means [80] for receiving location information regarding said object, said location information including a first coordinate x,

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a second coordinate y, and a third coordinate z; second means [82] for correlating said first and second coordinates (x,y) with a location of an icon in two-dimensional space in an electro-optical display[10, 40]; and third means [82] for correlating said third coordinate z with a size of said icon. (See Abstract line 6-10, Fig 1-3, col 1 line 22-37, col 2 line 28-47)

Regarding claim 2, Hancock discloses that third coordinate z represents altitude. (See Abstract line 6-10)

Regarding claim 3, Hancock discloses that first and second coordinates (x,y) represent latitude and longitude. (See Fig 1-3)

Regarding claim 4, Hancock discloses that object is an aircraft. (See Fig 1-3)

Regarding claim 5, Hancock discloses that size of said icon is selected from a limited number of discriminably different sizes. (See Fig 1-2)

Regarding claim 6, Hancock discloses that third means includes a continuously variable relationship between said icon size and said third coordinate z. (See Fig 1-2)

Regarding claim 7, Hancock discloses that size of said icon is directly correlated with said third coordinate z, such that a larger value of said third coordinate z correlates with a larger size of said icon. (See Fig 2)

Regarding claim 8, Hancock discloses that size of said icon is inversely, non-linearly, or discontinuously, correlated with said third coordinate z: an inverse correlation is such that a larger value of said third coordinate z correlates with a smaller size of said icon. (See Fig 2)

Regarding claim 9, Hancock discloses that the claimed feature of a system for conveying location of an object comprising: first means [80] for receiving location information regarding said object, said location information including a first coordinate x, a second coordinate y, and a third coordinate z; second means [82] for correlating said first and second coordinates (x,y) with a location of an icon in an electro-optical display; and third means [82] for correlating said third coordinate z with a color or grayscale value of said icon. (See Abstract line 6-10, Fig 1-3, col 1 line 22-37, col 2 line 28-47)

Regarding claim 10, Hancock discloses that the claimed feature of a system for conveying location of an object comprising: first means [80] for receiving location information regarding said object, said location information including a first coordinate x, a second coordinate y, and a third coordinate z; second means [82] for correlating said first and second coordinates (x,y) with a location of an icon in an electro-optical display

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[10,40] ; and third means [82] for correlating said third coordinate z with an intensity (i.e., contrast value) of said icon. (See Abstract line 6-10, Fig 1-3, col 1 line 22-37, col 2 line 28-47)

Regarding claim 11, Hancock discloses that the claimed feature of a system for conveying location of an object comprising: first means [80] for receiving location information regarding said object, said location information including a first coordinate x, a second coordinate y, and a third coordinate z; second means [82] for correlating said first and second coordinates (x,y) with a location of an icon in an electro-optical display [10,40]; and third means [82] for correlating said third coordinate z with a shape of said icon. (See Abstract line 6-10, Fig 1-3, col 1 line 22-37, col 2 line 28-47)

Regarding claim 12, Hancock discloses that the claimed feature of a system for conveying aircraft altitude to a human observer comprising: a receiver [80] for receiving latitude, longitude, and altitude information; a microprocessor [82]; a memory device [80]; a display [10,40]; and a program for converting said altitude to an icon size, and placing an icon of said icon size at coordinates corresponding to said latitude and longitude in said display. (See Abstract line 6-10, Fig 1-3, col 1 line 22-37, col 2 line 28-47)

Regarding claim 13, Hancock discloses that the claimed feature of a method for conveying location of an object including the steps of: receiving [80] location information

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regarding said object, said location information including a first coordinate x, a second coordinate y, and a third coordinate z; correlating said first and second coordinates (x,y) with a location of an icon in an electro-optical display [10,40]; and correlating said third coordinate z with a size of said icon. (See Abstract line 6-10, Fig 1-3, col 1 line 22-37, col 2 line 28-47)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (Central fax)

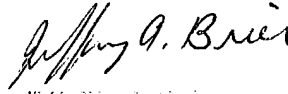
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc
December 20, 2004


JEFFERY A. BRIER
PRIMARY EXAMINER